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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

AVOPLEX CORPORATION,

Plaintiff,

v.

WARREN PROULX, an individual,
AMERICAN LABOR INSURANCE
SERVICES, INC., a California corporation,
and AMERICAN LABOR INSURANCE
SERVICES CORPORATION, a California
corporation,

Defendants.

Case No. C0502300 EMC

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE AS TO
CERTAIN DEFENDANTS ONLY**

NOTICE IS HEREBY GIVEN that pursuant to Federal Rules of Civil Procedure, rule 41(a)(1), Plaintiff AVOPLEX CORPORATION dismisses the above-captioned action without prejudice as to the following named defendants only:

AMERICAN LABOR INSURNACE SERVICES, INC., a California corporation; and
AMERICAN LABOR INSURANCE SERVICES CORPORATION, a California
corporation.

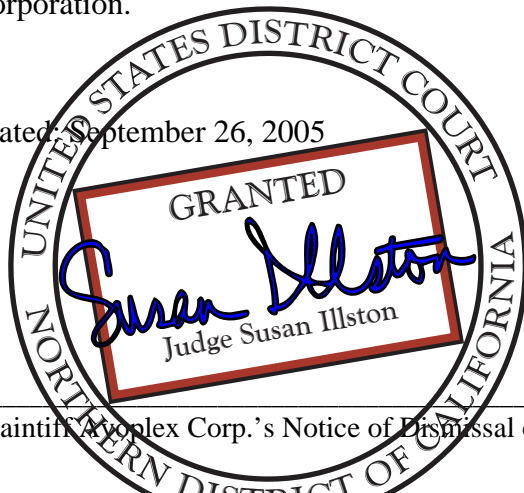
Dated: September 26, 2005

DILLINGHAM & MURPHY, LLP

By: /s/ Alice K. Loh

Alice Loh

Attorney for Plaintiff AVOPLEX CORP.



CERTIFICATE OF SERVICE

The undersign hereby certifies that on this 26th day of September, 2005, a copy of the foregoing NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE AS TO CERTAIN DEFENDANTS ONLY was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

By: /s/ Alice K. Loh
Alice K. Loh